

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: GAVIN, Brian Charles

Serial No.: To Be Assigned

Group Art Unit:

Appln. Filed: Concurrently Herewith

Examiner:

For: *MEDICAL COMBINATION COMPRISING SALMETEROL AND BUDESONIDE*

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Applicants request that the references identified on Form PTO-1449 appended hereto be considered by the Examiner and officially made of record in accordance with the provisions of 37 CFR 1.97

- ☐ Copies of the references are enclosed
- ☒ Copies of the references were submitted in parent application Serial No. 10/259,642. (37 CFR 1.98(d))
- ☐ A copy of the International Search Report, which issued on International Application No. _____ is submitted herewith. All of the publications cited in the International Search Report are listed on the attached form PTO-1449 and Applicants understand that copies have been supplied to the U.S. Patent Office by the International Bureau.
- A. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the above application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR 1.97(b).
- OR
- ☐ The Information Disclosure Statement submitted herewith is being filed before the mailing of a first office action after the filing of a Request For Continued Examination under 37 C.F.R. 1.114 (37 C.F.R. 1.97(b)(4)).
- B. ☐ The Information Disclosure Statement transmitted herewith is being filed **after** three months of the filing date of the above application or the date of entry into the national stage as set forth in § 1.491 of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last, but **before** the mailing date of either:
- (1) a final action under § 1.113 or
- (2) a notice of allowance under § 1.311,
- whichever occurs first.
- ☐ Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under § 1.97(c) (\$180.00).

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- C. ☐ The Information Disclosure Statement transmitted herewith is being filed **after** a final action under § 1.113, or a notice of allowance under § 1.311, whichever occurs first, but before the payment of the issue fee. Also enclosed is a copy of the International Search Report which Issued on International Publication No.

In accordance with the requirements of 37 CFR 1.97(d):

- ☐ Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ Applicant hereby petitions for the consideration of the accompanying Information Disclosure Statement. 37 CFR 1.97(d)(ii).
- ☐ The petition fee set forth in § 1.17(i)(1) (\$130.00) is submitted herewith.

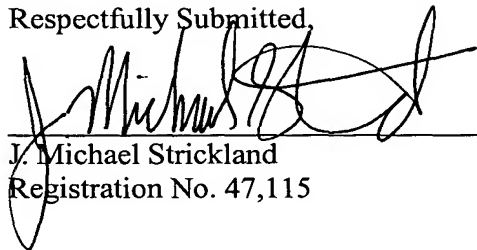
☒ Please charge any required fees to Deposit Account No.07-1392.

☐ A duplicate copy of this paper is attached.

August 25, 2003
Date:

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Respectfully Submitted,


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FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT				ATTORNEY DOCKET NO. PG3989US2		SERIAL NO. To Be Assigned	
				APPLICANT GAVIN, Brian Charles			
				FILING DATE Concurrently Herewith		GROUP	
U.S. PATENT DOCUMENTS							
Examiner Initials		Patent Number	Issue Date	Name	Class	Subclass	Filing Date If Appropriate
	1.	3,929,768 A	12/30/75	BRATTSAND, Ralph L., et. al.			
	2.	5,736,124	04/1998	AKEHURST, et. al.			
	3.	5,647,347	07/1997	VAN OORT			
Continue on page _____							
FOREIGN PATENT DOCUMENTS							
		Document Number	Publication Date	Country	Class	Subclass	Translation Yes No
	4.	2 140 800 A	12/05/84	Great Britain			
	5.	23 23 215 A	11/29/73	Germany			
	6.	99/13867	03/25/1999	PCT			
	7.	0422889	10/09/1990	Europe			
Continue on page _____							
OTHER DOCUMENTS (Including Author, Title, Journal-Date, Page Number, Etc.)							
	8.	Odeback, Peter, "IS THE ADDITION OF SALMETEROL MORE EFFECTIVE THAN DOUBLING THE DOSE OF BUDESONIDE IN MILD ASTHMA?" EUROPEAN RESPIRATORY JOURNAL, Vol. 12, No. SUPPL. 28, 1998, Page 38S XP001008684, European Respiratory Society Annual Congress; Geneva, Switzerland; September 19-23, 1998, ISSN: 0903-1936 Abstract					
	9.	Mancini, V., et. al., "Fluticasone Propionate or Budesonide with Salmeterol in Bronchial Severe Asthma in Pediatric Age." ALLERGY (COPENHAGEN), Vol. 53, no SUPPL. 43, 1998, Page 185 XP001013216, Annual Meeting of the European Academy of Allergology and Clinical Immunology; Birmingham, England, UK; June 21-26, 1998, ISSN: 0105-4538 Abstract					
	10.	O'Connor, B.J., "COMBINATION THERAPY" PULMONARY PHARMACOLOGY AND THERAPEUTICS, ACADEMIC PRESS, NEW YORK, NY, US, Vol 11, No. 5/6, 1998, Pages 397-399, XP000911059, ISSN: 1094-5539 the whole document					
	11.	Bowler, S., "LONG ACTING BETA AGONISTS" AUSTRALIAN FAMILY PHYSICIAN, XX, XX, Vol. 27, No. 12, December 1998 (1998-12), Pages 1115, 1117-1118, XP000973076 the whole document					
	12.	Green, et. al., "Prevention of Exercise Induced Asthma by Inhaled Salmeterol Xinafoate," ARCHIVES OF DISEASE IN CHILDHOOD 1992; 67: Pages 1014-1017.					
Continue on page _____							
EXAMINER					DATE CONSIDERED		
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.							